

*REMARKS/ARGUMENTS*

In response to the Office Action mailed February 8, 2007, Applicants amend their application and request reconsideration. In this Amendment claims 2, 3, 5, 7, 8, and 10 have been cancelled and new claims 13-16 have been added so that claims 1, 4, 6, 9, and 11-16 are now pending.

The Examiner stated that the Office Action was in response to an Amendment filed simultaneously with the patent application. Applicants intended that the claims, as amended in that Preliminary Amendment, be examined as understood by the Examiner. Applicants also intended that all of that Preliminary Amendment, including the amendment to the Abstract be considered as the most up-to-date form of the patent application.

The Abstract was objected to because it allegedly contained the word "sold" instead of "solid" in the second line. In fact, the amended Abstract submitted with the Preliminary Amendment did not include that error and did include a significant amendment to the Abstract. The amended Abstract can be found in the PAIR immediately before the amended claims. Applicants request the Examiner ensure that the proper Abstract is made part of the patent application.

Claims 5, 10, and 11 were objected to as allegedly including informalities. The citation with respect to claims 5 and 10 is moot because those claims have been cancelled and replaced by divided claims. The Examiner asserted that the indefinite article "a" needed to be present in the second line of claim 11. Applicants' representative strenuously disagrees. If anything, the definite article "the" should appear in that location but if that word were inserted there might be a rejection for lack of antecedent basis. What is being referred to is not any old "spot size", but a specific spot size, namely the size of the laser beam output from the semiconductor laser. Using the indefinite article would make the language of the claim

grammatically unwieldy and, therefore, the objection is erroneous and no correction is required or made.

Claims 5 and 10 were rejected as failing to limit their respective parent claims. This rejection is based, allegedly, on 35 USC 112, second paragraph. However, the stated basis of the rejection is 35 USC 112, fourth paragraph. The rejection reflects a misunderstanding of the content of claims 5 and 10. The rejection seems to assert that because claims 4 and 9 each mention four specific materials, that claims 5 and 10 must, in turn, include a further description with respect to each of those four materials. Claims 5 and 10 only refer to two materials of the group of four materials of claims 4 and 9. It is, however, sufficient to define further the invention of claim 4 by referring to only one of the materials of claim 4 in claim 5.

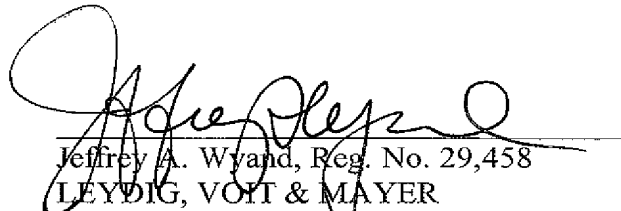
In order to avoid further attention to the non-existent issue raised in this rejection, each of claims 5 and 10 has been rewritten as two separate dependent claims, claims 13-16. These claims are not open to any proper rejection as to form or clarity.

Although a number of claims were rejected over prior art, claims 3, 4, 8, and 9 were stated to be allowable if rewritten in independent form. In this Amendment claims 3 and 8 are substantially rewritten in independent form as amended claims 1 and 6, respectively. A paragraph inadvertently cancelled from claim 6 in the Preliminary Amendment is restored to assure antecedent basis for every claim term in that claim. In addition, some improvements for grammatical purposes have been made in combining the claims.

Amended claims 1 and 6 are conceded to be allowable. All other claims that are now pending depend directly or indirectly from either claim 1 or claim 6 and, therefore, are also in form for allowance. Discussion of the prior art rejection is not required nor supplied.

Reconsideration and allowance of all claims now pending are earnestly solicited.

Respectfully submitted,



Jeffrey A. Wyand, Reg. No. 29,458

LEYDIG, VOLT & MAYER

700 Thirteenth Street, N.W., Suite 300

Washington, DC 20005-3960

(202) 737-6770 (telephone)

(202) 737-6776 (facsimile)

Date:

JAW:ves

May 17, 2007